



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

ROSSI KIMMS & MCDOWELL LLP
20609 GORDON PARK SQUARE SUITE 150
ASHBURN VA 20147

MAILED

JUN 19 2009

OFFICE OF PETITIONS

In re Application of :
Yamamoto, et al. :
Application No. 10/788,720 : **ON PETITION**
Filed: February 27, 2004 :
Attorney Docket No. KIOI:039 :

This is a decision on the petition to revive under 37 CFR 1.137(b), filed May 16, 2009.

The petition under 37 CFR 1.137(b) is **GRANTED**.

The above-identified application became abandoned for failure to timely file a proper Appeal Brief. The Office mailed a Notice of Noncompliant Appeal Brief on November 24, 2008, setting a one month period for reply. Applicant filed an Appeal Brief in response on December 5, 2008. However, on March 24, 2009, the Office mailed a communication indicating that the appeal was dismissed and the application was abandoned. The Office mailed a Notice of Abandonment on March 27, 2009.

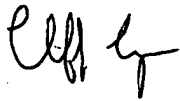
With the instant petition, applicant paid the petition fee, made the proper statement of unintentional delay, and submitted the required reply in the form of an RCE.

The application is being forwarded to Group Art Unit 3656 for consideration of the RCE, filed May 16, 2009.

Application No. 10/788,720

Page 2

Telephone inquiries related to this decision should be directed to the undersigned at (571)272-3207.

A handwritten signature in cursive script, appearing to read "Cliff Congo".

Cliff Congo
Petitions Attorney
Office of Petitions